Alleged Forgery. In the afternoon Edward P. Banning, Jr., was placed on trial charged with forgery in the third

degree. The indictment alleged that on the 29th of

oegree. The indictment alleged that on the 29th of October he forged an order purporting to have been drawn by Fellows, Hoffman & Co., directing James Sutton & Co., proprietors of the Aldine, to insert an advertisement in that journal at a cost of \$240. The prisoner was tried at the last term of the Court and the jury disagreed. After taking some testimony the Court adjourned till Monday.

TOMBS POLICE COURT.

Two Wagon Thieves Brought to Grief-

perance and Conjugal Bliss.

John C. Brice was driving an express wagen through Pearl street yesterday, and after proceed

ing some distance missed a box of tea from his wagon. He went back and found it in the possession of William Hardy, who was in the custody of Officer Harris, of the Fourth precinct.

The officer had seen Hardy stealing the tea, and immediately arrested him. The prisoner confessed his guilt and was fully committed by Judge Dewling.

John Williams left his express wagon standing in

Canal street and entered a store. A gentleman named Brodie, who was looking out on the street,

named brodie, who was looking out on the street noticed four men acting suspiciously. He watched them for some time, and at last saw one of then approach the wagon, seize a package and run off Mr. Brodie gave the alarm, and one of the men named Thomas Brown, was arrested. The actual thief escaped. Brown was arrested by Officer Quigley and held by Judge Dowling in \$1,000 bail to answer.

Swearing Off.

Mr. and Mrs. Darcy, of Mulberry street, have latterly not been living happily together. Both in-

dulged rather freely, and their troubles culminated

in the lady procuring a summons requiring her

dulged rather freely, and their troubles culminated in the lady procuring a summons requiring her spouse's appearance to answer a charge of illusage. Mr. Darcy palliated his conduct by charging his better half with riotous and disorderly conduct when under the influence of "a drop." Judge Dowling philanthropically endeavored to reconcile their differences, and the wife professed a willingness to receive once more the spouse of her bosom. Judge Dowling—Well, now, how many children have you got?

Mr. Darcy—Two, sir.

Judge—Can't you both agree to live together in peace and give up liquor? (To Mr. Darcy)—Can't you get along with your wife?

Darcy—Well, she is a good woman enough, but a very little dhrop goes to her head and then she do be flinging things around the house and my life is in danger.

Judge Dowling (feelingly)—I think you could get along if you would both give up drinking. Put your hand on the Book, both of you. How long will you swear off?

Mr. Darcy (looking askant at Mrs. Darcy)—How long d'ye say?

Mrs. Darcy (heroically)—Forever!

Judge Dowling—No; that won't do. Both of you swear that neither of you will drink without the other's consent.

Both fervently kisses the Book, and Mr. and Mrs.

swear that hether of you will drink without the other's consent.

Both fervently kissed the Book, and Mr. and Mrs. Darcy departed, His Honor remarking, "It is a pity to see anything like that, especially where there are children in the case."

JEFFERSON MARKET POLICE COURT.

Grand Larceny.

was charged with entering a room where Joseph Taylor, of 78 Broome street, lay sleeping, and stealing a watch and chain valued at \$50 from his person. He was locked up to answer.

A huge negro, named John Moses, who stated

A nege negro, named John Moses, who stated he was homeless, was arraigned before Justice Ledwith, charged with stabbing John Lantry, of Fitty-fifth street, in the neck and chest. The wounded man was taken to Bellevue Hospital, where he lies in a very critical state. The prisoner was remanded to await the result of injuries.

YORKVILLE POLICE COURT.

An Alleged Receiver of Stolen Goods in

a Tight Corner.
On the night of the 17th instant a burglary was perpetrated on the premises No. 456 Broadway,

owned or occupied by Richard Richards. On the

second floor was stored a large quantity of black silk velvet goods, \$4,000 worth of which the

BROOKLYN COURTS.

CITY COURT-TRIAL TERM-PART I.

A Lawver's Hailroad Experience.

Before Judge Neilson.

Lawyer Samuel C. Conable said that while he was riding home in an Atlantic street and Greenwood car on the 16th of November last another passen-

ger attempted to force himself into a seat beside a

# THE COURTS.

# THE POOL-ROOM TRAGEDY.

Tenth Day of the Trial of John Scannell for Killing Thomas Donohoe-How the Killing of Florence Scannell Affected John's Mental Condition - Politics and "Horse Talk"-Sol. Mehrbach's Interest in the Case-Things that Were Never Mentioned.

### THE WALLKILL BANK TROUBLES.

The Defalcations of the President and Cashier-The United States Grand Jury Looking Into It-They Censure Ex-Comptroller Hurlburd and Make Some Suggestions.

#### A HIGH-ART LITIGATION.

Painting the Lakes of Killarney and Suing for Payment-A Case for Artists and Art Connoisseurs.

BUSINESS IN THE OTHER COURTS.

Trials Before Recorder Hackett-Orders in Bankruptcy-National Bank Depositories-A Fraudulent Bond Case-Decisions.

An important conviction was obtained in the General Sessions yesterday. Henry Alexander, a professional receiver of stolen goods, was tried and found guilty, and Recorder Hackett sentenced him to the State Prison for five years. It appears Co. were in the habit of stealing goods and selling them to Alexander.

Philip Newman, who has been indicted for con spiring to defraud the United States by attempting to enter into a frandulent bond, appeared yesterday before Commissioner Shields and gave ball in \$5,000 to take his trial when called upon.

The Grand Jury of the United States Circuit Court submitted to Judge Biatchford yesterday an important presentment in reference to the affairs of the Wallkill National Bank. They recommend a change in the law, by which examiners of na-tional banks shall in future be officers of the United States and paid by the national government.

A case was tried yesterday in the Court of Com-mon Pleas, before Judge Loew, in which an artist recovered \$1,000 for painting a picture, the party for whom it was painted having repudiated his or-der and refused payment. The result carries its

#### THE SCANNELL-DONOHOE TRAGEDY

An Immense Amount of "Horse Talk" in Court Yesterday-Further Testimony as to the Prisoner's Mental Condition After the Shooting of His Brother-Things That Were Singularly Never Men-

MICHAEL PAGAN. adjournment on Thursday. After Mr. Beach had asked him a single question of no public inter-

Cross-examined by District Attorney Phelps and testified as to what occurred in the pool room substantially as before. He testified that when Donohoe said "Come en, John," it seemed to him very loud. He had just seen Scannell and then turned sharply around to where Scannell had been, but he had gone: the shooting occurred about half a minne saw him, looked paie when Scannell came in, grew paler till he looked ghastly, as if ne was frightened; John Scannell, Ioo, was very pale; he had seen Scannell was absent about six or seven months on one occasion, just after the inquest on Florence; that was held about the latter part of July; he was back twice during that time; the first time about two weeks after he went to Long Branch; he remained about a week, and then went to some springs; in about two months be came back and remained a day or two; I saw him perhaps three or four times each day; then he went away again; I think to some springs; I didn't see him from then till next summer; he said he was going to Copake; witness himself was absent in Wisconsin part of the time; he had known Florence when a boy; John was a man grown; he had always supposed them to be brothers; witness had been examined before the Coroner, but had not been asked about Donohoe's exclamation; he thought he had said something about his being pale; he had noticed Donohoe's hand being in his pocket when he first went in; witness was at the hospital almost every day that Florence was there, and he met John there every day; Dr. Wood was his attendant there and after he was removed to his mother's house.

John Rollins, A STABLE KEEFER.

testified that he was very well acquainted with John and Florence Scannel; John, before the shooting of his brother, was good natured and sociable and talkative, talking in a hearty, rather loud tene; was at the pool room, and confirmed Fagan's testimony as to Donohoe's having his hand in his pocket as if grasping something, and as to his shouting "Come on, John;" he (witness) when the first shot came jumped behind a pillar; witness was requent in his visits to Florence in nospital; he noticed a great change in John after Florence's shooting; he seemed, in place of sociable and jovial, morose and quiet; his looks and ways and manners and actiols were changed; he had heard other people speak of it; his coutenance was changed; his face became yellow,

than for a long time before.

HIS EYE WAS CLEARER

than for a long time before.

To Mr. Phelps—I was present at the inquest on Florence Scannell; John went away soon after Florence's death; I saw him about every day for a week and then he went away, I believe; he was away one time for six or seven months; he told me that he had been to Copake and to Niagara Falls; when Donohoe passed me first in the pool room he had both hands in his pockets; when he came back he was walking very quickly, and some young man said to me, "There goes Tommy Donohoe;" he passed west of me with his left side towards me; when he said "Come on, John," he turned round quick so as to face the bar; he spoke quick and loud; he seemed to me to be

After Recess.

William Redding was the first witness called after recess. He testified:—I reside in the city of Havana; I reside temporarily in this city; I know the prisoner; I knew Florence Scannell; I have had opportunities of observing the relations between the brothers; the conduct of John toward Florence was always very affectionate; I was in Havana when Florence was shot; John before the shooting was always irlendly, joylul, good natured; his appearance was good looking and his complexion nealthy; after the shooting, on my return from Havana, he looked downhearted and was pale in complexion; his conversation after the shooting was disconnected; it was incoherent.

Q. What do you mean by answering to my former question that his conversation was disconnected?

A. I mean that it wasn't hearable; I have noticed perspiration on his forehead when there was no reason way he should be in that condition; I have known him to pass me in the street when I should think he must have seen me; I deal in horses and reside in Havana; have resided in Havana about ten years.

Cross-examined—I have known the Scannelis After Recess.

reside is Havana; have resided in Havana about ten years.

Cross-examined—I have known the Scannelis about four or five years; I make about five to eight trips per year between Havana and New York; my principal residence is in Havana; I was in New York about two weeks before Florence was shot; I was also in New York about two weeks after Florence died; I have chiefly met John in or about the Glenham House; I seldom went in except for a drink or a cignr; I have principally been with him in the street looking at horses running and exercising on the street; my acquaintance was casual; never had any conversation with him except in a casual way about horses; never spoke to him about the death of his brother.

never had any conversation with him except in a casual way about horses; never spoke to him about the death of his brother.

SOLOMON MEHRRACH

next testified—I am a horsedealer; was acquainted with Florence and John Scannell for about fifteen years; knew Donohue about five years; was intimate, to some extent, with the whole Scannell family; I am not now an Alderman, my term having expired on the 1st of January last; Florence was engaged in dealing in horses, and I think ne kept the stables; John was engaged in the horse trade also; John commenced to keep the Glenham House, I think, in March, 1869; Mrs. Scannell leased the house; previous to tast they kept the Compton House; the disposition of John, prior to the shooting of Florence, was peaceable, quiet, genteel and high-spirited; he was not profane, nor a krinking man; ke was always in healthy condition, but not a robust man; on the day Florence was shot I accompanied John over to Jefferson Market Court, and he was very excited and tremulous; I frequently saw him at the hospital while Florence was there, but didn't notice much change in his manner then; it was chiefly before the last election—some two or three months before—that I noticed the change; he said once that the Apollo Hall ticket could not be elected if they had every nomination in the city, and almost immediately afterward, as I was leaving him, he said we could elect every man on the Apollo Hall ticket as it stood.

Cross-examined—I was a candidate on the Apollo Hall ticket as it stood.

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Cross-examined—I was a candidate on the Apollo Hall ticket as it stood.

Cross-examined—I was a candidate on the Apollo Hall ticket on which the Glenham House was situated; I remember a time when John was absent from the city after the death of Florence; I think it was in the Fali of that year; I sa

sent from the city after the death of Florence; I think it was in the Fall of that year; I saw him in the following July.

Q. Had you any transactions with him of a business kind? A. (after some hesitancy and dickering) What sert of business do you mean?

Q. Well, did you go baif for him? A. I did, sir.

Q. What did you go baif for him? A. I did, sir.

Q. What did you give baif for? Objected to. Objection sustained.

Witness resumed—I forget at whose request

I GAVE BAIL FOR HIM;

I went to the District Attorney's office with him; I don't remember whether I had any conversation with him on the subject of bail or the charge against him on the way to the District Attorney's Office; he said at his house before that that he was innocent of the charge against him; I don't think he asked me to give ball; I don't think he said anything about the nature of the charge against him, I don't think he said anything about the nature of the charge against him, I don't think he rown in the Glenham House when I was innocent; I saw John almost every day about the horse market before Donoloe was killed; I went to his room in the Glenham House when I was going bail for him and told him I was ready to go bail for him and told him I was ready to go bail for him and to do him I was ready to go bail for him and to the District Attorney's Office whom did you see there? A. I saw a good many hanging around there.

Q. Have you subscribed anything to assist in this delence? A. How do you mean?

Q. Have you subscribed anything to assist in this delence? Mr. Robinson in court? Mr. John Robinson?

JOHN ROBINSON, AN ÉLDERLY GENTLEMAN, at once came forward and testified:—I am sixty vears of gee: I have resided in New York about.

The proceedings in the Scannell murder trial yesterday were rather monotonous and were confined almost wholly to the testimony of witnesses as to the changes in the prisoner's demeanor and mental condition after the death of his brother, Florence. Mrs. John Scannell, wife of the prisoner, his mother, sister and two young brothers were present in Court, and several ladies, strange faces in this trial, were also in the bar enclosure. There was nothing more noticeable in the general makeup of the audience than has been observed in the former proceedings in this case, and in spite of the very unfavorable weather the attendance was quite large.

Judge Brady was on the bench promptly, as usual, and the proceedings were opened by recalling

HIRAM B. FERGUSON
was next sworn and testified:—I reside at 119 East
Thirty-fifth street; am City Marshal; have known

was next sworn and testified;—I reside at 119 East Thirty-fifth street; am City Marshal; have known the prisoner six or seven years; was acquainted with Florence; I was not very intimate with them; I saw John nearly every day for two months before the shooting of Florence; I was employed to take charge of his processes; I noticed after the shooting of Florence John became pale and very excitable and nervous; I once saw him at my house go down on his knees and say he "hoped God would kill him or O'Donohoe."

Cross-examined—Soon after O'Brien was elected Sheriff Scannell was appointed deputy; about two or three months after his appointment I acted for Scannel by taking charge of the business assigned to him; his processes were stopped in about the latter part of 1870; I mean by stopping his processes that the Sheriff didn't assign him any work in the office; that was, I think, before October 1, 1870; I know of John going out of the city for about ten days after his processes were stopped; I think he was in the Sheriff's Office a portion of two years; his processes were stopped at the time Donohoe was shot in Third avenue; subsequent to that time he lived in Willett street; he gave me as a reason that there was a warrant out for him and he didn't want to be arrested; he lived at my house the second day after the shooting of Donohoe; he came about nine o'clock in the evening; he said there was a warrant out for him; I don't remember if he said what the warrant was out for; he said here was a warrant out for him; I don't remember if he said what the warrant was out for; he said here was a warrant out for him; I don't remember if he said what the warrant was out for; he said here was a warrant out for him; I don't remember if he said what the warrant was out for; he said there was a hance to prove his innocence; when John said on his knees that he "hoped God would kill him or Donohoe" he was excited.

Q. Dhi he say what Donohoe might have him "railroaded" for? A. (a pause) I don't know that he did; while John was at

# THE NATIONAL BANK OF WALL-

The Alleged Detaleations of the President and the Cashier-Important Pre-sentment by the Grand Jury of the United States Circuit Court-Severe Criticism Upon Ex-Comptroller of Currency Hubbard-Suggestions as to the Appointment of National Bank Ex-

Yesterday the Grand Jury of the United States Circuit Court appeared before Judge Blatchford and handed to His Honor the following important presentment in reference to the affairs of the Wallkill National Bank and the alleged defalcations of the President and the Cashier of that establish

ment:—

Southern District of New York, ss.:—The jurors of the United States of America wathin and for the district and circuit aloresaid, on their oath present, that on their investigation of complaints against certain officers of the Walikili National Bank certain facts were elected which, in the opinion of the jurors aforesaid, make it preper that they should call attention to the gross neglect of duty, both on the part of the late Comptroller of the Currency, A. R. Hulburd, and certain directors of the said bank. It appears from the evidence, and from the letter of Mr. Hulburd to the President and Cashier of said bank, that as early as February 14, 1871, the bank was in an insolvent condition. It appears by the letter of the Comptroller, a copy of which is hereto annexed, bearing date February 14, 1871, that the reserve of the bank was then \$25,250 short and that the cashier committed forgery in statements ren-

standing these facts, attested by the signature of the Comptroller and the report of the bank or any of the directors took any effectual means to correct them.

The law provides that such a deficiency in the bank reserve is a good ground to forfeit the charter of the association; and while it may be that such a penalty should not be inflicted in the case of a temporary or accidental deficiency of this nature, yet had the Comptroller at that time performed his duty he would have found such a condition of things as to require stringent measures on his part. Not only did the Comptroller not take any vigorous measures to protect the interests of the stockholders and depositors, but we are compelled from the evidence to believe that he actually assisted the President and Cashier in concealing the real condition of the association from the directors. As a result the bank failed a few weeks since: and investigation shows that not only has its entire capital been dissipated, but a deficiency exists which the stockholders must make good; while large sums have been lost by special depositors. It appears that the affairs of the bank were conducted in a very loose, unbusiness-like and negligent manner. The Cashier was a defaulter and rightly from justice, and frequently absent from the bank for the institution were left in charge of a teller, a mere youth, of little or no experience in banking business. The President appears to have been directly implicated with the Cashier in embezzling and converting the funds of the association. The Vice President and directors composing the examining committee appear to have been inegligent in their duty to an unaccountable degree. The evidence clearly shows that for a period of two years the association was entirely bankrupt, and that the most superficial examination of the affairs of the bank by the examining committee must have made it entirely clear to any ordinary mind that the association was entirely bankrupt, and that the most superficial examination of the bank with one except

iners; and to that effect we make the following suggestions:—

First—That said examiners be made officers of the United States, and, as such officers, subject to the provisions of the general statutes of the United States, defining their responsibilities and punishing any offences they may commit.

Second—That said examiners be required, whenever they discover any violation of the penal section of the Banking act, to proceed forthwith before the United States Attorney for the district in which said violation occurred and lodge a complaint against any and all persons committing such violations.

plaint against any and all persoms committing
such violations.

Third—That said examiners be paid by the government and not by the banks they are appointed
to examine. JOHN H. HALL, Foreman.

W. B. GARDINER, Sec'y pro tem.
GEORGE BLISS, Jr., United States Attorney.

ORDER BY JUDGE BLATCHFORD.

On the above presentment Judge Blatchford has

on the above presentment Judge Blatchford has made the following order:—
Ordered that the Clerk transmit a certified copy of the within presentment to each of the following persons:—The Comptroller of the Currency, the Secretary of the Treasury, the Chair of the Committee on Banking of the United States Senate and the Chairman of the Committee on Banking of the House of Representatives of the United States.

## LAKES OF KILLARNEY.

Painting a Picture One Thing and Paying for It Another-Justice Shields

Some two years ago Henry C. Bispham, the artist, had in his studio an outline drawing of the Lakes of Killarney. Mr. Thomas Keech, strolling into his studio, saw this outline (we are now giving the story of the artist), and the fancy seized him to have it painted. An arrangement to this effect was quickly made, and the price fixed at \$1,000. Mr. Bispham painted the picture. It was piaced on exhibition at the Century Club. Mr. he had this picture painted as a surprise for her. ne had this picture painted as a surprise for her. She, being an Irish lady and familiar with the Lakes of Killarney, expressed herself greatly pleased with the fidelity and artistic finish of the painting. After hanging a while in the exhibition window of Sausse, on Broadway, Mr. Bispham took the picture to the residence of Mr. Keech and hung it in their parlor, Mr. and Mrs. Keech, however, being absent at the time. The artist waited till their return, and then, to his surprise, Mr. Keech told him he did not want the picture and denied ever having ordered it. the picture and denied ever having ordered it. Not being willing to let the matter drop here Mr. Bispham brought suit against Mr. Keech to compel him to pay for the picture. The case was tried yesterday, before Judge Loew, holding Trial Term of the Court of Common Pieas. The testimony for the plaintiff was an extended elaboration of the facts, as above stated. For the defence was set up a general denial. The jury was out but a short time, when they brought in a verdict for the full amount claimed, with interest.

# BUSINESS IN THE OTHER COURTS.

UNITED STATES DISTRICT COURT-IN BANKRUPTCY. Depositories for Moneys Received by Assignees in Bankruptcy.

In pursuance of rule twenty-eight of the General Orders in bankruptcy, Judge Blatchford, of the United States District Court, for the Southern district of New York, yesterday designated the folmoneys received by assignees shall be deposited:

In the city and county of New York, the Bank of New York and the National Banking Association; in Westchester county, the Westchester County National Bank and the First National Bank at Sing Sing; in Fitting county, the Putnam County National Bank; in Rockland county, the Rockland County National Bank at Nyack; in Orange county, the Highland National Bank at Newburg, the Goshen National Bank at Middletown; Sullivan county, the National Bank at Middletown; Sullivan county, the National Union Bank at Monticello; in Dutchess county, the Farmers and Manufacturers' National Bank, at Poughkeepsie; in Columbia county, the Farmers' National Bank, at Poughkeepsie; in Columbia county, the Farmers' National Bank, at Kingston; in Green county, the Farmers' National Bank, at Catskill.

The Judge also requires that checks or warrants for drawing moneys deposited by an assignee shall be signed by him and countersigned by the Register designated to act in the case of the estate on account of which such moneys were deposited. moneys received by assignees shall be deposited:-

#### UNITED STATES CIRCUIT COURT, Prosecution of Criminals.

second floor was stored a large quantity of black silk velvet goods, \$4,000 worth of which the thieves took with them. The following day officer Cassidy, of the Twenty-first precinct, to whose sagacity and watchfulness alone is due the recovery of some of the stolen property and the arrest of the receiver, while on duty on Thirty-fourth street saw Herman Goldstein acting in a very suspicious manier, and made up his mind something wrong was going on. An old man, named Gallagher, who owns a truck, was employed by Goldstein to cart two boxes (empty) from Martin Donahue's, No. 430 Third avenue, where he purchased them, to No. 430 Third avenue, where he purchased them, to No. 430 East Thirty-fourth street, a portion of which house was vacant at that time. About half an hour thereafter the boxes were again removed, and taken by Gallagher to 751 Third avenue, the basement of which is let by Henry A. Van Ness as a storeroom. Goldstein had hired it for a week, saying it would save him the trouble of taking the two boxes before alluded to to Hariem. In this place Geldstein was arrested and the boxes opened, when sixty pieces of the velvet stolen from Mr. Richards' store, and valued at \$2,500, were found therein. A piece of the same velvet was also found by Captain Williams in a closet at 403 East Thirty-fourth street. Yesterday Goldstein was brought to Court for the second time, he having been remanded to give the police a chance to ferret out the others more directly engaged in the robbery; but they were unsuccessful. Justice Bixby committed the accused in default of \$5,000 ball, pensing an examination demanded by his counsel, Abe Hummeil. Mr. G. Bliss, United States District Attorney, has issued the following circular to persons charged in the United States Circuit Court with crime and to

the United States Circuit Court with crime and to counsel engaged in their defence:—

Sin-I desire to call your attention to the fact that under the recent act of Congress a term of this Court will commence on Wednesday, March 12, 1873, exclusively for the trial of criminal cases. As it is my intention to make an effort to clear the calendar I give you this notice in order that you may be prepared for trial, and add that I shall not, either in or out of court, consent to a postponement. Yours, &c.,

United States Attorney.

# SUPERIOR COURT-SPECIAL TERM. Decisions. By Judge Friedman. Kilpatrick vs. Starr.—Order granted. The Granville Woollen Company vs. Ripley.

Same.
Same.
Same.
Same.
Dusenbury vs. Hoyt.—Case ordered to be filed.
Cary vs. Kernan.—Order granted.
Hotchkiss vs. Hyllyer.—Motion denied.
Deitz vs. McCullum.—Motion granted on terms.
By Judge Barbour.
Goodman vs. Strohein.—See memorandum, with

COURT OF COMMON PLEAS-SPECIAL TERM. Pecisions.

By Judge Robinson.

Montains vs. Levy.—See memorandum.
Life vs. Peiser.—Motion denied.

ger attempted to force himself into a seat beside a young lady next to where Conable was sitting. The car was about half full and the lawyer refused to move so that the intruder might take his seat. The conductor thereupon appeared on the seen and ordered Conable to move along, at the same time threatening to put him off the carlif he did not do so. Conable challenged him to undertake that job, when the conductor, undaunted, bounced him into the street. He said that he was also thrown on the floor of the car, and in the course of the encounter lost some valuable law papers. When he struck the street his briefs were gone. He brought suit against Alderman William Richardson, the lessee of the road, to recover \$5,000 damages, and vesterday the case came up for trial.

The defence said that the plaintiff was ejected from the car on account of his Indecent behavior to the young lady by whom he was sitting. Alderman Richardson also alleged that Conable had concealed his knowledge of the number of the car and the name of the conductor until after the latter was discharged from the road and could not be found. Case on.

amount of two promissory notes, which, he alleged, were made to him by the defendants, who were business partners, for value received. Cohn says he did not sign the notes, and if Blath signed them he (Blath) used the firm name without authority, and in pursuance of a conspiracy with lawyer Edwin James to defraud him. Blath does not appear in the suit. Case on.

COURT OF APPEALS CALENDAR.

ALBANY, Feb. 21, 1873, Court of Appeals day calendar for Februa 24:—Nos. 66, 227, 607, 589, 611, 92, 6834, 642.

## THAT "REAL ESTATE TRANSACTION."

TO THE EDITOR OF THE HERALD:-

DEAR SIR-The report in your paper under the is a gross perversion of the facts. O'Donnell is not a lawyer and never was associated with me in business, and the opinion does not say so. The plaintin, O'Donnell, was never my client. On the contrary, I brought an action against him for another person of the same name, and recovered judgment after a trial. Failing to collect the judgment, an execution was issued and we were forced to sell his real estate. The law allowed him fifteen months in which to redeem the property after the sale, but, although both he and his erty after the sale, but, although both he and his attorney knew of the sale, no steps were taken to redeem. All this is in evidence and not disputed. I bought the property, I may say, accidentally, having attended the sale to see to the interests of my client, and, no one being present, bought the property myself for an amount sudicient to pay the property myself for an amount sudicient to pay the pidgment and the Sheriif's fees. I knew nothing of the property, and took a risk in buying, and had not even seen it at that time. I fully expected it would be redeemed, and paid no more attention to it for a year, when I wrote to O'Donneli be redeemed, and paid no more attention to it for a year, when I wrote to O'Donneli be property would be conveyed to me by the Sheriff in a few months. I also communicated with his attorney, but no action was taken by either of them. The Sheriff at the end of fifteen months conveyed the property to me, but I never took any action under the deed except to demand, formally, possession. O'Donneli has always been in possession, collecting his rents regularly, and although could have dispossessed him nearly a year ago I did not. His action against me was to set aside the sheriff's sale, alleging certain technical irregularities on the part of the Sheriff. Judge Sedgwick, in his certainly able and well-considered opinion, finds that there were certain technical irregularities in the notices published by the Sheriff sufficient to invalidate the sale, and so decides. But he takes occasion to say that my integrity and fairness in the matter cannot be impeached. This you did not publish, I am authorized by Messrs, Busnnell & Albright, the plaintiff's altorneys, to say that your report is very unjust, and that they never in their proceedings even pretended that my actions could be questioned in a moral point, and that they relied upon for trouble and time lost, but he refused to accept my offer. Yours, &c., WILLIAM LINDSAY.

## BROOKLYN HOUSE BURNING.

ment to the Flames. Repeated cases of arson have recently been brought to light in Brooklyn, and several parties are now awaiting the action of the Grand Jury for setting fire to buildings. The latest incendiary act reported by the Fire Marshal is remarkable for the persistency of the efforts of the unknown scoundrel to consign the building to the flames. The structure upon which the attempt was made is a two story and attic tenement frame house, No. 339
Baltic street, and is occupied by twenty persons. On the night of the 14th inst. a board partition in the cellar was saturated with kerosene oil and was set on fire. The smoke penetrated through the floor, but the flames did not. The inmates retired for the night. Fortunately the fire died out in the cellar, and a human holocaust was spared. The stairway of the tenement is narrow, and escape for those domiciled on the upper floor would have been attended with difficulty. On Thursday night last another diabolical attempt was made to fire the place by stuffing a bundle of oil rags in between the boards of the floor in the cellar. The floor was considerably burned, but the fire failed to gain much headway ere it was discovered. The authorities are of the opinion that the incentive is revenge, and every effort will be made to apprenend the guilty party. The property is owned by Artemus Cady, of the Comptroller's office, New York. two story and attic tenement frame house, No. 339

# SALES AT AUCTION.

A DRIAN H. MULLER, AUCTIONEER.
EXECUTOR'S SALE.
By order of James A. H. Cornell and Theophilus A.
Brower, Executors of James Suydam, deceased, the
valuable improved Property
CORNER OF LIBERTY AND NASSAU STREETS,
OPPOSITE THE POST OFFICE,
HOUSE AND LOT IS WEST THIRTY NINTH STREET,
and vacant Lots corner of Fourth avenue and Nienty-eighth streets, will be sold at auction TUESDAY, FEERUARY 25, at 12 o'clock, at the Exchange Sa'esroom, Ill Broadway, by ADRIAN B. MULLER, P. B. WILKINS & CO., Auctioneers.

A. J. BLEECKER, SON & CO., AUCTIONEERS— Rebuary 25, at Exchange Salesroom, at 12 o'clock, five story brown stone House, 1,376 Third avenue, be-tween Seventy-eighth and Seventy-ninh streets, 2.6 by 100, with all improvements, including Cornell's patent rolling Shutters for store.

A RCH. JOHNSTON, AUCTIONEER.

A CHE and sules com BY Nassau street, opposite the Post office; Horse Auction Branch 110 to 114 East Thirteenth street, near Fourth avenue,

FURNITURE, HOOKS, CHROMOS, &C.

JOHNSTON & VAN TASSELL will sell on Monday, at 10½ o'clock, at their sules com, 37 Nassau street, a general assortment of Household Furniture; also a collection of standard Books, Dickens, Thackaray's, Lytton's, Scott's and Byron's Works, and a series of Congressional Documents; also about 100 Fine Chromos, in walnut and gilt frames.

ART SALE.

Now on exhibition, at the LEAVITT ART ROOMS, SI7
Broadway (tree), day and evening, the select and choice
COLLECTION OF FURBIGN and AMERICAN PAINTINGS belonging to Mr. H. T. Chapman, 17., of Brooklyn,
comprising examples by Verboeckhoven, Diaz, Meyer
yon Bremen, Ziem, Boddington, Armield, Caraud, Neuhuys, Koekkoek, Frere, Birket Foster, Thayer, Meadows,
Col, Church, T. L. Smith, Durand, Stammel, William
Hart, George Hail, Boughly, Coleman, &c., &c., to be sold
by auction at the Clinton Hail Salesrooms, Wednesday
and Thursday evenings, February 26 and 27, at 73
o'clock. The whole to be sold without any reservation
whatever.

chatever. The Art Rooms will remain open this day and evening. THE MESSRS, LEAVITT, Auctioneers.

THE MESSRS, LEAVITT, Auctioneers.

A UCTION NOTICE.
Large sale. THIS DAY (Saturday),
at private residence 120 West Twenty thread street,
near Stath avenue, commencing at 10½ o clock.
Magnificent Drawing from Suits supero reservoor
7½ octive Hamforte used eight mutths cost \$900; centre Tables Bookcase, Etageres Tribush Chaira, Lounges,
ne Oil 7500 valushiel block, Engravings, solte urush,
Mirrors, 800 valushiel block, Engravings, solten,
Mirrors, 800 valushiel block, Engravings, solten,
Mirrors, 800 valushiel block,

A.-WM. TRIST BAILEY, AUCTIONEER.
Will sell for Importers and Traders' National Bank, New
York, Thursday, March 6, 1873, at 12 o'clock M., at Exchange sales-room, 111 Broadway, the four story brown
stone Dwelling and Lot, 16x100.5 feet, 341 East Fiftach
street; high ground; near Second avenue; terms very
easy. Maps at 11 Pine street or 226 Fifth avenue or from
Mesars. TOWNSEND, DYETT & GOLDSMITH, 247 Broadway.

A UCTION NOTICE.

A large sale of Household Furniure this day, at private residence 124 West 16th st., commencing at 11 o'clock, comprising every article necessary for gentee, housekeeping; parties commencing housekeeping will do well to attend.

HENRY ZINN, Auctioneer.

A UCTION SALE OF WATCHES AND JEWELRY—
THOMAS WILSON, Auctioneer, will sell, without reserve, on Saturday, February 22, at 11 o'clock, the exceptive Stock of John Anderson's Jewelry Establishment, 1,247 Broadway, consisting of solid Gold and Silver Watches, Diamonds and all kinds of solid Gold Jewelry French Clocks, &c. This sale will continue from day to day until all is disposed of. Catalogues now ready.

THOMAS WILSON, Auctioneer.

A LLEN B. MINER, AUCTIONEER.
Salesrooms 35 Chambers and 77 Reade streets.
By ALLEN B. MINER & BRO.,
THE STREET BY ALLEN B. MINER & BRO.,
at 1045 O'clock, at the private residence
105 West Twenty-seventh street,
MORTGAGEE'S SALE.
Handsome Household Furniture, Pier and Mantel Mirrors, Carpets, Curtains, &c., &c. Details to-morrow.

A UCTION, Augnificent Household Furniture, AUCTION, Pianoforte, Bronzes, Paintlings, Veivet Carpets, &c., at the clegant residence at the clegant residence at THIS DAY (SATURDAY), at 11 o'clock. Drawing room Purniture, samerh Suits, Pompadour, Drawing room Furniture, superb Suits, Pompadour, Marie Antoinette styles, covered richest description covering; Etageres; Secretaire, Bookcase; Cabinets; Tahiestelvelvet Brussels Carpets; Painings, by eminent against Bronzes, Clocks, Ornaments, Articles of the Secretaire Control of the Secretaire Contro

Life vs. Peiser.—Motion denied.

COURT OF GENERAL SESSIONS—PART I.

Another Professional Receiver of Stolem Goods Convicted and Sent to the State Prison for Five Years.

Before Recorder Hackett.

The forepart of yesterday, was occupied in the trial of Henry Alexander, charged with receiving stolen goods, knowing them to have been feloniously obtained by the party seiling them. It rarely on the party seiling them. It rarely and second that the plaintiff was ejected from the car on account of his Indecent behavior to the young lady by whom he was sitting. Alderman Richardson also alleged that Conable had concealed his knowledge of the number of the car and the number of the car and the number of the car and could not be read of the conductor until after the latter was discharged from the road and could not be found. Case on.

CITY COURT—TRIAL TERM—PAST 2.

A Suit on Promissory Notes.

Before Judge Thompson.

CITY COURT—TRIAL TERM—PAST 2.

West Eighth street, between Fitch and Sixth ave., property of Alderman Richardson also alleged that Conable had concealed his knowledge of the number of the car and the car and the car and the car and the road and could not be found. Case on.

CITY COURT—TRIAL TERM—PAST 2.

A Suit on Promissory Notes.

Before Judge Thompson.

CITY COURT—TRIAL TERM—PAST 2.

A Suit on Promissory Notes.

Before Judge Thompson.

William W. Rose has brought suit against Emil C.

Cohn and Jacques Biath to recover \$3,529, the purchasors city or country,

Company will sell 9,000 tons Scranton Coal 9,000 tons Scranton Coal at public auction on Wednesday, February 26, at 12 o'clock noon, at 26 Exchange place, SAMUEL SLOAN, President, By ISADORE J. SWARZKOPF, AUCTIONEER. SELLA 10% o'clock, 24 Vandewater street, stock Wine, ele-gant Fixtures of large Liquor store; positively in lots dealers in vited. SWARZKOPF, 236 Bowery. DY MAX BAYERSDORFER, AUCTIONEER, SELLS Monday next, 413 Broome st., handsome Bilhard Room, Bar Stateres and Furnitare, Wines and Liquors; also 2 Pheint & Collender Biliard Tables, Balls, Cae, &c., complete; have been in use but a short time. Can be seen this day. HOTEL PROPERTY FOR SALE AT AUCTION.-BY

SALES AT AUCTION.

BY JOHN H. DRAPER & CO., AUCTIONEERS,

HOTBL PROPERTY FOR SALE AT AUCTION.—BY action wherein Wilder Party plaintiff and Sylvanus T. Cozzens and others are to plaintiff and Sylvanus T. Freeree, will sell at public auctions, the undersigned, as referee, will sell at public auctions, the undersigned, as 1873, at 12 M., at the United States Murday, March 1. N. Y., all that Hotel Froperty Know, as the Party House (Water Power, Cottage, Barn, &c., included, silkate on the west bank of the Hudson River, at Highland Falls, Orange county, N. Y., a few rods south of Cozzens, West Point Hofel; the house contains 70 sleeping roomed, and has been open during the seasons or 1871 and 1872; it is splendidly situated in full view of the river and falls. It has water on every floor and spring water on two floors; there are two stone cellars, duling room 45 feet by 4 feet, and parlor 39 by 35 feet; plazza 200 feet long, terms of sale easy. For further particulars inquired of WILLET PARRY, Highland Falls, N. Y.

R. C. COLEMAN, Referee.

R. C. COLEMAN, Referee.

I. S. WEINBERGER, AUCTIONEER.—MARSHAL'S'
Sale, this day (Saturday), Feb. 22, at 10½ o'clock, at
15½ Bowery, new Tinware, Hardware, Cutlery, Sancepans, Kertles, Cups, Haichets, Scissors, Knives, Table Catlery, Dishpans, Scales, &c. By order of L. OBERLE, City
Marshal. Also, immediately thereafter, 20 very fine family and tailor Sewing Machines, Furniture, Carpets, Olfcloths, Matting, Lace Curtains, Window Shades, Piano
and Table Covers, Shirts, Rubber Coats, Pancy Goods,
Gold and Silver Watches, Jeweiry, a large basoriment of
Wires and Liquors, Smoking Tobacco and 16,000 good
Cigars.

Wines and Liquors, Smoking Tobacco and 16,000 good Cigars.

[ERE. JOHNSON, JR., AUCTIONEER, Selestroom 39 and and 401 Fulton street, Brooklyn; New York office, 21 Park row.

Will sell at auction, on THURSDAY, February 27, at 12 o'clock, at Auction Exchange, 559 and 401 Fulton street, Brooklyn, opposite the Court House, by order of the executors, the entire Estate of Samuel Smith, deceased, consisting of Stores, Houses and Lots, on Fulton, Smith and Livingston streets, in the immediate vicinity of the City Hall and Court House.

Fulton street, southwest corner of Smith street, three superb vacant Lots, grand location for a bank or public building of any kind or for stores.

The splendid four story brown stone Mansion formerly, occupied by Judge Smith, situated on Smith street, best tween Pulton and Livingston.

Nos. 171, 173, 175, 177, 179, 181, 183, 185, 187 and 189 Livingston street—Ten very destrable three story basement subceillar brick Houses.

No. 180, Livingston street—Two two story basement subceillar and attic brick Houses.

Nos. 11, 13, 19 and 2 Gallatin place—Four three story-basement and sub-cellar brown stone House.

Nos. 31, 32, 32 and 33 Smith street—Two two story basement subceillar and attic brick Houses.

Nos. 11, 13, 19 and 2 Gallatin place—Four three story-basement and sub-cellar brown stone Houses.

Nos. 18, 398, 370, 372 and 574 Fulton street—Three splendid four story Stores.

Smith street, between Pulton and Livingston—Three very destrable Lots.

Terms easy; 60 per cent on mortgage for three years.

Maja ready fog distribution at 359 Fulton street, Brook klyn, and 21 Park row, New York, For further particular apply to JERE, JOHNSON, Jr., 21 Park row, New York, For further particular apply to JERE, JOHNSON, Jr., 21 Park row, New York, For further particular apply to JERE, JOHNSON, Jr., 21 Park row, New York, For further particular apply to JERE, JOHNSON, Jr., 21 Park row, New York, For further particular apply to JERE, JOHNSON, Jr., 21 Park row, New York, For further particular apply to JER

JAMES COLES & SON, AUCTIONEERS,—TUESDAY, February 25, at 12 M., at 589 Fulton street, Brooklyn, I two story frame House, 625 Madison street; 2 single Lots, rear, on Monroe street; 10 single Lots addoining, on Suyvesant avenue, two of them corners; sale positive, Terms easy.

JACOB BOGART, AUCTIONEER, at 11 o'clock, at the auction rooms No. 1 North William street, a large assortment of Household Furniture, Parlier, Bedroom and Kitchen Furniture, 20 sewing Machines; also Marshal's sale Dry Goods, Alpacas, Linens Clothes, Cloths, Schrin's Kid Gloves, &c. By order of the Marshal

SHERIFF'S SALE.—R. FIELD, SHERIFF'S AND General Auctioneer, salesroom 121 Bowery, will sell this day, at 11 o'clock, one Truck, one Cart Horse, one Cart Eed, two Horse Elankets and one cell of Rope. By order.

T. F. Dally, Deputy.

T. F. Dalx, Deputy.

VALUABLE BUSINESS PROPERTY FOR SALE REAsonably—By E. H. LUDLOW & Co., No. 3 Pine street.
Park row, northeast corner Ann street, an extra large
Plot, 40 feet 6 inches front.
Broome street, southeast corner Eim street, large Lote
26,9x117 feet.
Broome street, ear Crosby street, 75x100 feet.
Broome street, near Crosby street, 75x100 feet.
Broome street, near Worth street. Plot 62x67 feet.
Greene street, near Worth street. Plot 62x67 feet.
Greene street, 25x100 feet, near Prince street.
Houston street, West, near Greene street, 75x100 feet.
For full particulars apply as above.

Washington's Biethday.

A Nation's Holiday

Jubilate! Greatest country
the sun ever shone upon!

Happy people!

Multiply your blessings by owning your own "sweet homes." How could you spend the day more profitably or patriotically than to visit Jere. Johnson, Jr., 21 Park, row, and look after the splendid Properties in Brooklyn to be sold next week at auction. Annexation, quick transit and the big bridge, all sure. Now's your time to buy. Call at Jerke. Johnson, Jr., 21 Park, row, New York, for Maps of the immense sales of Brook. Iyn Lots, to be made Feb. 23, 25 and 27. Remember alf these sales are to be made at Auction Exchange, 399 and 401 Fulton street, Brooklyn.

WILLIAM ABBOTT, AUCTIONEER,
office 50 New Bowery.
By virtue of a chattel mortgage, I will sell, on this day,
at 10% o'clock, the Contents of Wine and Lager Beer Saloon 50 Grand street, in the city of New York; fine walnut Counters, large Lager Beer Box. Bagastelle Table,
walnut Chairs and Tables, Mirrors, Pictures, Glassware,
Stove and Copper Boiler.
WILLIAM ABBOTT, Jr., Attorney for Mortgagee.

BARGE OR SLOOP WANTED-CAPACITY 69 TO 89 tons, in good order, for immediate delivery. Address, with lowest cash price, SONE & FLEMING, 189 Front street.

FOR SALE-A PASSENGER AND FREIGHT PRO-peller, 116 feet long. D feet beam, 6 feet hold: en-gine 18x14, hortzontal beiler, single furnace; draws 6 feet of water; makes 12 miles per hour. For further par-ticulars call on E. C. FORCE, Nos. 5 and 7 Dey st., room 6 FOR SALE-NEW AND SECOND HAND TUG Boats; also a Floating Palace for sale. Apply to E. C. FORCE, Nos 5 and 7 Dey street, room 6.

FOR SALE-A FINE JIB AND MAINSAIL VACHT, 28 et long, in complete order. WILLIAM C. COOPER, 231 Broadway, room 2. POR SALE—SOUND STEAMBOATS J. B. SCHUYLER, and Escort, 699 tons register: fitted for night routes, also Steamships Crescent City, 1.20 tons; F. Wright and Santee, 600 tons; North Foint, 500 tens; Commander, 500 tons; Apply to FRED'R C. SCHMIDT, No. 1 South William Street.

FOR SALE—A SLOOP YACHT, ABOUT 42 FEET IN length over all; is well found in sails, &c.; ma-hogany trimmings on deck; has good cabin accommoda-tions; is tast and will be sold turnished. For further par-ticular address YACHT, 31 Pine street.

TUG BOAT WANTED-NOT OVER 2 YEARS OLD 18x18; engine, in good order. Apply to E. C. FORCE Nos. 5 and 7 Dey street.

WANTED-A SMALL YACHT IN EXCHANGE FOR good paying Real Estate. Address E. W. H., Post office, East New York.

150 BOATS OF ALL KINDS AND SIZES, WOOD and iron; 19,000 feet White Cedar for anle at shops 368 and 373 South street, Hith street, Harlem River.
STEPHEN ROBERTS.

ASTROLOGY.

A FORTUNE FOR ALL WHO CONSULT MISS WELLINGTON.—Reclaims drunken or unfaithful husbands and wives, tells of theirs, business, good luck and lucky numbers; brings together those long separated. 41 East Twenty-eighth street, near Fourth avenue. A RRIVAL -GREAT EUROPEAN CLAIRVOYANT tells names, shows likenesses, causes marriages and gives numbers; 50 cents and \$1. 142 West Twenty-fifth st. PROFESSOR LISTER IS THE ONLY ASTROLOGER in the city; time of birth wanted. 329 Sixth avenue, near Twenty-first street.

ATTENTION: TWENTY YEARS! PRUSSIAN HOSPI At all experience. Private discases successfully and permanently cured without merchry. Dr. FRANKLIN, let Bleecker street.

A. MRS. W. H. MAXWELL, 114 EAST TENTH A. MADAME GRINDLE, FEMALE PHYSICIAN, 127
West Twenty-sixth street, guarantees relief to all female complaints; pleasant rooms for aursing.

A -LADIES' PHYSICIAN, DR. H. D. GRINDLE, interrupted practice in this city, guarantees certain and speedy relier to all anxious indices, with or without medicine; elegant rooms, board and nursing for ladies during confinement. 120 West Twenty-sixth street.

A TRUTH-MME, DESPARD, FEMALE PHYSI

A CERTAIN RELIEF FOR UNFORTUNATE LADIES.

DR. KING, 14 AMITY STREET, TREATS, SUCCESS-fully and confidentially, ladies and gentlemening trouble. One visit sufficient. Hours 5 to 8. CENTLEMEN SUPPERING FROM NERVOUS EX-mediate relief by consulting Dr. MARSTON, Specialist, residence 23 East Sixteenth street.

MADAME DUBOIS' MEDICINE SAFE AND CER tain; only one visit necessary; no charge unless perfectly satisfied. 44 Great Jones street.

MADAME RESTRLI, CAN RN CONSULTED AS usual. Her French Fernale Infallible Medicine, No. 2, price \$5, can be obtained at the following drop glats:—No. 122 Greenwich street and No. 135 xth avenue, New York; also 122 Irulton street, Brooklyn; or by mail. Address box 4,820 New York Fost office. Unfortunate Ladies-Dr. Roff, 82 AMITY street, guarantees immediate relief or no charge all obstructions removed without pain. Boarding.